



Docket No.: 826.1722

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Naoya FUJISAKI

Serial No. 09/819,701

Group Art Unit: 2161

Confirmation No. 3142

Filed: March 29, 2001

Examiner: E. LEROUX

For: FILE SYSTEM ASSIGNING A SPECIFIC ATTRIBUTE TO A FILE, A FILE MANAGEMENT METHOD ASSIGNING A SPECIFIC ATTRIBUTE TO A FILE, AND A STORAGE MEDIUM ON WHICH IS RECORDED A PROGRAM FOR MANAGING FILES

**PETITION UNDER 37 CFR 1.181 OR IN THE ALTERNATIVE 37 CFR 41.3
IN RESPONSE TO NOTIFICATION OF NON-COMPLIANT APPEAL BRIEF**

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Notification of Non-Compliant Appeal Brief was mailed October 25, 2006, it is respectfully requested that the Examiner be directed to respond to the September 8, 2006 Substitute Appeal Brief with an Examiner's Answer, or withdraw the final rejection for the reasons set forth below.

The October 25, 2006 Notification asserted that the Substitute Appeal Brief filed September 8, 2006 failed to map the

following elements of the following claims ... to the present specification: Claim 1 [and claims 15, 17 and 18], file usage, administrative user, a file managing unit managing a file based on policy data, Claim 2 [and claims 16 and 17]: administrative user, file usage, setting unit setting policy attribute data,

It is not understood why the October 25, 2006 Notification was issued. The term "file usage" was mapped to the specification in the fourth paragraph of Section V of the September 8, 2006 Substitute Appeal Brief. The term "administrative user" was mapped to the specification in the third paragraph of Section V of the September 8, 2006 Substitute Appeal Brief. The term "file managing unit ..." was mapped to the specification in the fifth paragraph of Section V of the

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September 8, 2006 Substitute Appeal Brief. The term "setting unit ..." was mapped to the specification in the second and third paragraphs of Section V of the September 8, 2006 Substitute Appeal Brief.

As all of the terms listed in the October 25, 2006 Notification were mapped to the specification in the September 8, 2006 Substitute Appeal Brief, it is submitted that the September 8, 2006 Substitute Appeal Brief was proper. Therefore, it is respectfully requested that the Examiner be directed to respond to the September 8, 2006 Substitute Appeal Brief with an Examiner's Answer, or withdraw the final rejection. If additional explanation of the meaning of the terms listed in the October 25, 2006 Notification is required, it is suggested that the Examiner contact the undersigned by telephone to arrange an Examiner Interview prior to issuing the next Office Action.

The attached copy of the September 8, 2006 Substitute Appeal Brief is provided in response to the October 25, 2006 Notification in accordance with 37 CFR 1.81(f) and to provide an exhibit in accordance with 37 CFR 1.81(b).

If this Petition is deemed to lie under 37 CFR 41.3, please charge the fee of \$400 required by 37 CFR 41.20(a) to our Deposit Account No. 19-3935. If any other fee is required, likewise please charge our Deposit Account No. 19-3935.

Respectfully submitted,

STAAS & HALSEY LLP

Date: 11/27/06

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